

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JUN 11 2020

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

CR 19-14-M-DLC

Plaintiff,

vs.

ORDER

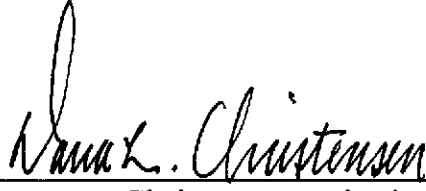
DANIEL BRIAN BURKE,

Defendant.

Before the Court is the United States' Opposed Motion to Contact the Jury Foreperson. (Doc. 128.) The Court does not see a meaningful distinction between the United States' proposal and an improper request "to interview jurors to discover what was the course of deliberation." *Smith v. Cupp*, 457 F.2d 1098, 1100 (9th Cir. 1972).

Accordingly, IT IS ORDERED that the motion (Doc. 128) is DENIED.

DATED this 11th day of June, 2020.



Dana L. Christensen, District Judge
United States District Court